



Eric Maxfield

Partner

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Eric Maxfield helps clients resolve their most challenging disputes.

He relies on two decades of experience to guide his clients through all aspects of complex business litigation – keeping their business goals foremost. He has obtained significant victories for clients in a variety of litigation matters, including jury trials, arbitrations, and appeals.

Eric represents clients of all sizes, from local and regional businesses in the Rocky Mountain West to significant Fortune 500 corporations.

Areas of special focus. Eric represents clients in disputes involving fiduciary duty claims, professional liability and malpractice, class actions, intellectual property, and healthcare and insurance matters.

Recognized by his peers. In the area of business litigation, Eric is regularly recognized in peer-review publications. *Chambers USA* states, “Eric Maxfield attracts numerous commendations from peers in Utah who highlight his very organized, very analytical and mature approach when coming up with good strategies.” “He has a confident demeanor, and he is very good with people, including opposing counsel, and judges like him – that is a unique and important combination.”

PRACTICES

Business Litigation
Data Privacy and Information Security
Intellectual Property Litigation
Stakeholder Disputes
Real Estate Litigation

INDUSTRIES

Energy and Resources
Healthcare

EDUCATION

Georgetown University, J.D., 1997
cum laude

University of Utah, B.A., 1994
magna cum laude

BAR ADMISSIONS

Utah

EXPERIENCE

- Jury trials, bench trials, arbitrations
- Professional liability and malpractice
- Breach of contract
- Breach of fiduciary duty
- Shareholder and corporate ownership disputes
- False Claims Act and Qui Tam
- Trade secrets and non-compete litigation
- Intellectual property disputes
- Defamation and libel litigation
- Probate and estate litigation

CLIENT RESULTS

Commercial Litigation Matters

Defended premier law firm against breach of fiduciary duty and malpractice

claims of \$300,000,000

Represented accounting firm in qui tam action

Represented third party insurance administrator in dispute with SAAS provider

Represented Utah manufacturer in pursuing claims against financial guarantors

Represented major transportation company in a series of commercial disputes

Represented a utility in a series of significant power purchase disputes

Represented professional service firm in malpractice and joint venture disputes

Defended corporations in products liability and premises liability matters

Defended a manufacturer against federal government allegations of violations of the False Claims Act

Defended companies in internal disputes

Defended corporations against class action allegations

Represented corporations and individuals in real estate disputes

Represented owners and professional firms in construction defect and engineering malpractice matters

Assisted companies with internal investigations and OSHA investigations resulting from fatality accidents

Assisted a major natural gas pipeline company in defeating claims at trial for \$500,000,000, and then obtaining, in the same case, a judgment for \$110,000,000 on a counterclaim

Represented companies in distributorship disputes

Represented governmental entity and associated contractor in water rights dispute

Represented energy fund in lender liability dispute

Defended a technology services company against a former employee's claims of securities fraud, breach of fiduciary duty, and breach of contract in Utah federal court

Successfully represented client in high profile defamation dispute.

Represented natural resources company against accusations of commercial defamation involving right to petition the government.

Represent board of directors in defamation, tortious interference, and breach of fiduciary duty action.

Successfully represented premier litigator in defeat of malpractice claims.

Represented direct sales company in action to protect restrictive covenants.

Represented direct sales company against international distributors' defamation of client.

Represent government and quasi-governmental entities in variety of complex litigation matters.

Intellectual Property Matters

Defended a major aerospace company against allegations of patent infringement

Represented a tech company in significant patent disputes

Prosecuted, on behalf of a large technology company, claims of patent infringement

Health Care and Insurance Matters

Represented regional hospital against commercial claims by former physician

Represented health care district against claims involving hospital privileges by physicians

Represented medical industry insurer in various corporate matters

Assisted companies with insurance coverage disputes and insurance-related counseling

Assisted multiple rural health care providers form rural health cooperative network

SPEAKING ENGAGEMENTS

"2023 Employment Law Seminar," *Holland & Hart Utah Employment Law Event*, February 21, 2023

"Health Law Webinar - What You Need to Know About EKRA," 06/27/2019

RECOGNITION

- Federal Bar Association – Utah Chapter, Pro Bono Service Award, 2022
- *Chambers USA*, Litigation: General Commercial, 2016-2018, 2022-2023
- *The Best Lawyers in America*®, Litigation – Intellectual Property, 2013-2024; Commercial Litigation, 2018-2024

- Mountain States Super Lawyers®, Business Litigation, 2012-2023
- Mountain States Super Lawyers® Rising Stars, Business Litigation, 2008, 2009
- *Utah Business Magazine*, Utah Legal Elite, Civil Litigation

PROFESSIONAL AND CIVIC AFFILIATIONS

- Sherman A. Christensen Inn of Court I, Master of the Bench
- Leadership Utah, Salt Lake Chamber, Class of 2011
- ABA State Survey of Class Action Law, Utah Class Action Law, Editor, 2009-present
- Business and Commercial Litigation in Federal Courts, 3rd Ed., on Energy Litigation, Contributor
- Utah State Bar - Futures Commission, Member
- Utah State Bar, Member
- State Bar of Arizona, Member